

Entered on Docket

April 08, 2009

GLORIA L. FRANKLIN, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA



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10 DLJ Mortgage Capital, Inc.

Signed: April 07, 2009

EDWARD D. JELLEN  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

In Re: ) CASE: 08-46780JG

13 MANUEL DIAZ-CARABES aka MAUEL ) CHAPTER 13  
14 DIAZ-CARABEZ aka MANUEL DIAZ )

15 Debtor. ) ) REF.: ASW-525  
16 ) ) ORDER GRANTING MOTION  
17 ) ) FOR RELIEF FROM THE  
18 ) ) AUTOMATIC STAY

19 ) ) DATE: 04/03/09  
20 ) ) TIME: 10:00am  
21 ) ) CTRM: 215  
22 ) ) U.S. Bankruptcy Court  
23 ) ) 1300 Clay Street  
24 ) ) Oakland, California

21 A MOTION FOR RELIEF FROM THE AUTOMATIC STAY in this  
22 case having been filed by DLJ Mortgage Capital, Inc., and  
23 having come to be heard before the HONORABLE EDWARD D.  
24 JELLEN, UNITED STATES BANKRUPTCY JUDGE, on April 3, 2009,  
25 Movant appearing by its attorneys THE WOLF FIRM, and there  
26 being no pleading in opposition nor appearance by the  
27 Trustee or the Debtor, and the Court, having read the  
28

Matter I.D. 6401-5222

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1 various pleadings, documents and proceedings, and service  
2 having been made, and after due deliberation, does make its  
3 order as follows:

4 IT IS ORDERED that with respect to the real property  
5 commonly known as 701-707 Pope Drive, Vallejo, CA 94591, and  
6 more fully described as follows:

7 SEE DOCUMENT NO. 200700020952 RECORDED ON  
8 2/21/2007 IN OFFICIAL RECORDS OF SOLANO  
9 COUNTY

10 Movant and its agents and successors are relieved of the  
11 automatic stay, and said stay is immediately terminated, so  
12 that Movant and its agents and successors may exercise or  
13 cause to be exercised any and all rights under its Note  
14 and/or Deed of Trust and any and all rights after  
15 foreclosure sale, including, but not limited to, the right  
16 to commence and/or consummate foreclosure proceedings on the  
17 property and the right to proceed in any action to obtain  
18 possession of the property.

19 IT IS FURTHER ORDERED that the 10 day stay pursuant to  
20 Bankruptcy Rule 4001(a)(3) is hereby waived.

21 \*\*\* END OF ORDER \*\*\*  
22  
23  
24  
25  
26  
27  
28

COURT SERVICE LIST

Debtor:  
MANUEL DIAZ-CARABES  
6727 Cutting Boulevard  
El Cerrito, CA 94530

Chapter 13 Trustee:  
MARTHA G. BRONITSKY  
P.O. Box 5004  
Hayward, CA 94540-5004

Debtor's Counsel:  
SAM TABIBIAN  
Law Offices of Javaherian Ruskecki  
1925 Century Park East #1150  
Los Angeles, CA 90067

U.S. TRUSTEE  
1301 Clay Street, Ste 690-N  
Oakland, CA 94612